



Ninety-Seventh Legislature - First Session - 2001
Committee Statement
LB 154

Hearing Date: 1/24/2001
Committee On: Judiciary

Introducers: (Chambers, Dw. Pedersen, Aguilar)
Title: Adopt the Nebraska Correctional Health Care Services Act

Roll Call Vote – Final Committee Action:

Advanced to General File
X Advanced to General File with Amendments
Indefinitely Postponed

Vote Results:

8	Yes	Senators Baker, Bourne, Brashear, Chambers, Connealy, Pedersen, Robak, Tyson
	No	
	Present, not voting	
	Absent	

Proponents:

Senator Ernie Chambers
Glen Lau
Marshall Lux
Elizabeth Peterson
Eric Brown
Virgil Jacob
Robin Russel

Tim Butz
Paulette Jones
Anthony Cato Jr.
Jill Arias

Opponents:

Neutral:

Dick Nelson
Harold Clarke

Representing:

Introducer
Nebraska Medical Association
Ombudsman
Nebraska Commission on the Status of Women
Dr. Faisal Ahmed
Self
Nebraska Chapter of National Association of
Social Workers
ACLU Nebraska
Old Landmark Gospel Radio Program
Self
Family and Friends of Inmates

Representing:

Representing:

HHS Regulation and Licensure
Department of Correctional Services

Summary of purpose and/or changes:

LB 154 creates the Nebraska Correctional Health Care Services Act.

LB 154 establishes the Division of Medical Services (Division) within the Department of Correctional Services (Department). The Division is charged with the responsibility of coordinating health care services for inmates of the Department. According to LB 154, all health care must meet the community standard of care.

The director of the Department shall appoint an assistant director of the Division. The assistant director shall be a medical doctor and shall be under the sole immediate supervision of the director.

LB 154 establishes the specific duties for the Division. These include coordinating health care services, selecting and supervising staff, and maintaining and preserving medical records, creating medical treatment protocol (including immunization care), among other duties.

The Division is to also develop a peer review and quality assurance program to ensure that quality health care is maintained. The peer review program shall also review 1) all cases in which there is a death of an inmate and 2) all cases in which there has been a deviation from the standard health care protocol.

LB 154 also creates the Nebraska Correctional Medical Authority (Authority) within the Department of Health and Human Services (HHS). A 9-member board appointed by the Governor and approved by the Legislature shall govern the Authority. The board is to review and make recommendations on the delivery of health care services and the health care system of the Department to the Governor and the Legislature. The board is required to complete, at least triennially, comprehensive surveys of the health care services of each of the Department's facilities.

Explanation of amendments, if any:

The Committee Amendment replaces the bill.

The Amendment strikes the section creating the Authority and the corollary sections that established the Authority and its duties.

The Amendment also amends the language regarding pharmaceutical care. The changes are essentially technical, clean-up language, and are done to make the relevant provisions use appropriate terminology.

The Amendment also specifies that the Division is to develop and implement condition-specific medical treatment protocols for gender-specific health problems and gender-specific routine health care services within the Department of Corrections.

Finally, the Amendment requires the Division, in developing its internal credentialing program, to confirm all professional permit, licenses, or other authorization of each health care staff member by checking with the appropriate licensing or certifying agency.

Senator Kermit A. Brashear, Chairperson
